

**REMARKS**

Claims 1-10, 13-23, and 26-28 are pending and remain. Claims 1, 14, and 28 have been amended.

The amendments present the rejected claims in better form for 5 consideration on appeal and may be admitted pursuant to 37 C.F.R. § 1.116(b)(2).

**Rejections under 35 U.S.C. § 102(a)**

Claims 1-10, 13-23, and 26-28 stand rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,546,554, issued to Schmidt et al. (“Schmidt”). Applicant traverses.

10 A claim is anticipated under 35 U.S.C. § 102(a) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP 2131. Schmidt fails to teach or suggest each and every claim element and fails to anticipate Claims 1-10, 13-23, and 26-28.

15 Schmidt discloses a browser-independent apparatus and method for receiving, installing, and launching applications from a browser (Abstract). A JNet helper application, installed on a client computer, is registered with the client computer’s browser (Col. 7, lines 52-57). When a JNL metafile is encountered by the browser in a HTML file, a copy of the JNL metafile is downloaded to the 20 client computer (Col. 7, lines 59-61). The JNet helper application parses the JNL metafile and identifies necessary components to install and launch the application detailed in the JNL metafile (Col. 7, line 66-Col. 8, line 1). Any components not already installed on the client computer are downloaded by the JNet helper application (Col. 8, lines 2-4). When all necessary components are gathered, the 25 JNet helper application installs the requested application and launches the application separate from the browser process (Col. 8, lines 11-21).

Independent Claims 1, 14, and 28 have been amended. Claim 1 now recites a viral mechanism to provide functionality equivalent to the network service independent of the service host system and implement the network service 30 software component in the code bundle. Claim 14 now recites providing

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functionality equivalent to the network service independent of the service host system. Claim 28 now recites means for providing functionality equivalent to the network service independent of the service host system. No new matter has been entered. Support for the amendments can be found in the specification, for 5 example, on page 9, line 25-page 10, line 9 and page 17, lines 26-29.

Such limitations are neither taught nor suggested by Schmidt. In contrast, Schmidt teaches receiving, installing, and launching software applications in a browser-independent manner (Col. 3, lines 10-15). In particular, Schmidt fails to teach or suggest providing functionality equivalent to the network service 10 *independent* of the service host system, per Claims 1, 14, and 28. In other words, once the network service is installed, the network service can be downloaded and updated without having to communicate with the service host system.

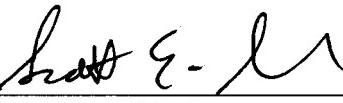
Therefore, the Schmidt reference fails to describe all the claim limitations and does not anticipate Claims 1, 14, and 28. Claims 2-10 and 13 are dependent 15 on Claim 1 and are patentable for the above-state reasons, and as further distinguished by the limitations therein. Claims 15-23, 26, and 27 are dependent on Claim 14 and are patentable for the above-state reasons, and as further distinguished by the limitations therein. Withdrawal of the rejection is requested.

The prior art made of record and not relied upon has been reviewed by the 20 applicant and is considered to be no more pertinent than the prior art references already applied.

Claims 1-10, 13-23, and 26-28 are believed to be in condition for allowance. Entry of the foregoing amendments is respectfully requested. Reconsideration of the claims, withdrawal of the finality of the Office action, and 25 a Notice of Allowance are earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

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Respectfully submitted,

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Dated: January 21, 2009  
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